

Remarks

Applicants respectfully request reconsideration of the pending claims in view of the following remarks. Claims 1-9 are currently pending.

The Examiner noted that a certified copy of the foreign priority document has not been filed. Accordingly a certified copy is being filed herewith.

35 U.S.C. § 102

Claims 1-9 as previously amended were rejected under 35 U.S.C. 102(b) as being anticipated by Kaimal et al. Applicants respectfully traverse this rejection.

Specifically, the Examiner states that Kaimal discloses a product containing 8.2% by weight of linoleic acid. The Examiner further states that Applicant's remarks filed October 27, 2003, are not persuasive. The Examiner states that recitation of an inherent property of a composition will not further limit claims drawn to a composition.

In response, Applicants point out that a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently, in a single prior art reference. *See Verdegaal Bros. V. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Claim 1 recites the feature of "at least 45.5 mol % of omega 6 polyunsaturated fatty acids" (emphasis added). Applicants assert that Kaimal does not disclose this feature expressly or inherently.

As conceded by the Examiner, Kaimal discloses an amount of linoleic acid (an omega 6 polyunsaturated fatty acid) of only 8.2 wt. %. Applicants confirmed that 8.2 wt. % of linoleic acid corresponds to approximately 6.0 mol %. Therefore, Kaimal does not disclose the feature of "at least 45.5 mol % of omega 6 polyunsaturated fatty acids" expressly.

Kaimal follows a different method from that used by Applicants. Kaimal uses 10% safflower oil for modification of coconut oil using a lipase-catalyzed reaction. This is an interesterification reaction. In contrast, Applicants have used free fatty acids obtained from hydrolyzed safflower oil. This is an acidolysis reaction. As Kaimal uses a completely different process, there is no reasonable basis to assume that Kaimal inherently provides the feature of "at

least 45.5 mol % of omega 6 polyunsaturated fatty acids,” and the low amount of linoleic acid expressly disclosed in Kaimal is perfectly consistent with this conclusion. Therefore, Kaimal does not anticipate or suggest claim 1 either expressly or inherently. As claims 2-9 are dependent on claim 1, they are also not anticipated or suggested. Applicants respectfully request that this rejection be withdrawn.

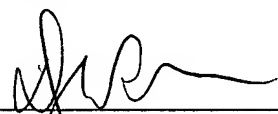
In light of the foregoing Amendment and Remarks, Applicants assert the claims are in condition for allowance. Removal of all rejections and early notice of allowable claims is requested.

The Examiner is invited to telephone the undersigned attorney for clarification of any of these remarks or amendments, or to otherwise speed prosecution of this case.

Respectfully submitted,

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